

REMARKS

Applicants have carefully reviewed and considered the Office Action mailed on July 25, 2007 and the reference cited therewith.

Applicants have amended claims 1-6. Applicants have not added or canceled any claims. Applicants previously canceled claims 14-20. Accordingly, claims 1-13 remain pending in the application, of which claims 1 and 8 are independent.

Oath/Declaration

In the Office Action, it was asserted that the oath or declaration is defective because it does not identify the mailing address of each inventor. An application data sheet (ADS) in accordance with 37 C.F.R. §1.76 is being submitted herewith to provide the mailing address of each of the inventors. Applicants respectfully submit that the submission of this ADS cures the defects in the earlier submitted declaration.

Information Disclosure Statement

In the Office Action, it was also asserted that the non-patent literature (NPL) document “Specification of the Bluetooth System” submitted with the May 14, 2007 Information Disclosure Statement is the same as an NPL document submitted with the October 28, 2002 Information Disclosure Statement. Applicants confirm that this assertion is correct. Accordingly, a supplemental IDS again citing this document is not necessary.

Claim Objections

In the Office Action, claims 2-6 were objected to for formal reasons. Specifically, the use of “further” in the preamble of the claims was objected to. Applicants have amended claims 2-6 to address this concern. Accordingly, Applicants respectfully request the objection be withdrawn.

Claim Rejections - 35 U.S.C. § 112

In the Office Action, claims 8-13 were rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement. Applicants have amended independent claim 8 to address this concern. Applicants respectfully submit that the amendment to claim 8 obviates the rejection, and the rejection should be withdrawn.

Also in the Office Action, claims 8-13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended independent claim 8 to address this concern. Applicants respectfully submit that the amendment to claim 8 obviates the rejection, and the rejection should be withdrawn.

Claim Rejections – 35 U.S.C. § 102

In the Office Action, claims 1 and 7-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,613,114 to Anderson et al. (hereafter “Anderson”). This rejection is respectfully traversed.

Claim 1, as amended, recites:

A method of performing a context switch operation, the method comprising:

setting an index register on an address portion of a state machine in a peripheral system to a first index value by a host computer, the first index value indicating a first register to be accessed;

accessing context data in the first register of the peripheral system based upon the first index value;

setting the index register to a second index value by the host computer, the second index value indicating a second register to be accessed; and

accessing context data in the second register of the peripheral system when the index register is set to the second index value, wherein the first and second registers are collocated with the peripheral system. (*Emphasis supplied*)

It is well settled that in order to establish anticipation of a claim, each and every element of the rejected claim must be disclosed in a single prior art document. Applicants respectfully submit that claim 1 is not anticipated by Anderson, as Anderson does not disclose each and every element of claim 1.

For instance, claim 1 is directed to a method of performing a context switch operation that includes “setting an index register on an address portion of a state machine.” Contrary to the assertions in the Office Action, Anderson does not disclose such an approach. In the Office Action it is asserted that elements 60, 62, 64, 21-23, 31-33, 41-43 and 51-53 in FIG. 1 of Anderson constitute the state machine of claim 1 and that column 6, lines 30-32 of Anderson disclose an address portion of the state machine of claim 1. Applicants respectfully disagree with these assertions.

In Anderson, a custom context switching thread management unit 62 is used to execute custom context switching routines that are stored in a memory 20. *See* Anderson, column 5, lines 1-10. An operating system 60 is responsible for allocation of memory 20 (*See* Anderson, column 6, lines 4-6) and registers 21-23, 31-33, 41-43, 51-53 and 64 are used in the during execution of the context switching routines (*See* Anderson, column 3, lines 1-13). Further, column 6, lines 30-32 of Anderson merely disclose that a thread-ID is a 32 bit number. There is

no disclosure, discussion or suggestion in Anderson of “setting an index register on an address portion of a state machine,” as recited in claim 1.

Applicants respectfully submit that claim 1 is not anticipated by Anderson for at least the reasons discussed above. Therefore, Applicants request that the rejection of claim 1 be withdrawn.

Without addressing the remarks in the Office Action made with respect to claim 7, which are not conceded, Applicants note that claim 7 depends from claim 1 and includes all of its limitations. Therefore, by virtue of claim dependency, Anderson does not anticipate claim 7 on the same basis as discussed above with respect to claim 1, and Applicants respectfully request that the rejection be withdrawn.

Claim 8 is directed to a system that may be used to implement methods for context switching, such as the method recited in claim 1. Without addressing the remarks in the Office Action made with respect to claim 8, which are not conceded, Applicants note that claim 8 includes apparatus limitations that correspond with the limitations of claim 1 discussed above. Accordingly, claim 8 is not anticipated by Anderson on the same basis as claim 1, and Applicants respectfully request that rejection be withdrawn.

Without addressing the remarks in the Office Action made with respect to claims 9-13, which are not conceded, Applicants note that claims 9-13 depend from claim 8 and include all of its limitations and the limitations of any intervening claims. Therefore, by virtue of claim dependency, claims 9-13 are not anticipated by Anderson on the same basis as discussed above with respect to claim 8, and Applicants respectfully request that the rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 103

In the Office Action, claims 2-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson. Applicants note that claims 2-6 depend from claim 1 and include all of its limitations.

It is well settled that in order to establish a *prima facie* case of obviousness it must be shown that each and every element of the rejected claims is disclosed, described or suggested in the cited documents. As discussed above with respect to claim 1, Anderson does not disclose, describe or suggest “setting an index register on an address portion of a state machine,” as recited in claim 1. Accordingly, claim 1 is not obvious over Anderson and, by virtue of claim dependency, claims 2-6 are also not obvious over Anderson.

Further in the Office Action, claims 1-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,154,832 to Maupin. Applicant respectfully traverses this rejection.

As discussed above claim 1 is directed to a method of performing a context switch operation that includes “**setting an index register on an address portion of a state machine.**” In the Office Action, it is asserted that these aspects of claim 1 are disclosed by a processor 20 in FIG. 2 of Maupin. Specifically, the Office Action recites “a processor normally includes state machines and control logics [sic].” Assuming for the sake of argument that the assertion regarding a processor including a state machine is true, Maupin still fails to render claim 1 obvious. As is well settled, in order to establish a *prima facie* case of obviousness, it must be shown that each every element of a rejected claim is disclosed, discussed or suggested in the cited references. The mere fact that processors “normally contain state machines” does not disclose, describe or suggest, at least, “setting an index register on an address portion of a state machine.” The Office Action provides no further indication of how Maupin might disclose or properly suggest this aspect of claim 1. Applicants respectfully submit that a mere conclusory statement regarding “normal” components of a processor, when there is no disclosure or suggestion that such components are configured to perform the function(s) recited in the claim(s), is insufficient to establish a *prima facie* case of obviousness. Accordingly, claim 1 is not obvious over Maupin on at least this basis and the rejection should be withdrawn.

Without addressing the remarks in the Office Action made with respect to claims 2-7, which are not conceded, Applicants note that claims 2-7 depend from claim 1 and include all of its limitations. Therefore, by virtue of claim dependency, claims 2-7 are not anticipated by Maupin on the same basis as discussed above with respect to claim 1, and Applicants respectfully request that the rejection be withdrawn.

Claim 8 is directed to a system that may be used to implement method for context switching, such as the method recited in claim 1. Without addressing the remarks in the Office Action made with respect to claim 8, which are not conceded, Applicants note that claim 8 includes apparatus limitations that correspond with the limitations of claim 1 discussed above. Accordingly, claim 8 is not obvious over Maupin on the same basis as claim 1, and Applicants respectfully request that rejection be withdrawn.

Without addressing the remarks in the Office Action made with respect to claims 9-13, which are not conceded, Applicants note that claims 9-13 depend from claim 8 and include all of its limitations and the limitations of any intervening claims. Therefore, by virtue of claim dependency, claims 9-13 are not obvious over Maupin on the same basis as discussed above with respect to claim 8, and Applicants respectfully request that the rejection be withdrawn.

Double Patenting Rejection

In the Office Action, claims 1-13 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting, as being unpatentable over claims 1, 4-5 of copending application No. 11/314,036 in view of Maupin.

Respectfully, a terminal disclaimer will be filed in the later-allowed of the 11/314,036 application and the present application.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (360-930-3533) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3521.

Respectfully submitted,

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By:



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